Paper No. None

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OFFICE OF PETITIONS

In re Application of   :
Georgiy Buyanovskiy   :
Application No. 10/642,797   : DECISION ON RENEWED PETITION
Filed: August 18, 2003   : UNDER 37 C.F.R. §1.137(f)
Attorney Docket No. 11382-003- ⌐ :
999   :
Title: METHOD AND SYSTEM FOR   :
ADAPTIVE DIRECT VOLUME   :
RENDERING

This is a decision on the renewed petition filed on August 17, 2006, pursuant to 37 C.F.R. §1.137(f), to revive the above-identified application.

A grantable petition pursuant to 37 C.F.R. §1.137(f) must be accompanied by:

(1) Notification of the filing of an application in a foreign country or under a multinational treaty that requires 18 month publication[1];

(2) The petition fee as set forth in 37 C.F.R. § 1.17(m), and;

(3) A statement that the entire delay in filing the notice from the date that the notice was due under 35 U.S.C. §122(b)(2)(B)(iii) until the date the notice was filed was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional.

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[1] See PTO/SB/36 and paragraph on PTO/SB/64a for further information. Both may be downloaded at http://www.uspto.gov/web/forms/index.html.

With the original petition, Petitioner submitted the petition
fee and the proper statement of unintentional delay. Petitioner
set forth that the present nonprovisional application is the
subject of an application filed in either a foreign or an
international application on August 19, 2004. However, the
United States Patent and Trademark Office was unintentionally
not notified of this filing within 45 days subsequent to the
filing of the subject application in either an international
application or a foreign country.

In view of the above, this application became abandoned pursuant
to 35 U.S.C. §1.22(b)(2)(B)(iii) and 37 C.F.R. §1.213(c) for
failure to timely notify the Office of the filing of either a
foreign application or an application under a multilateral
international agreement that requires publication of
applications 18 months after filing.

The original petition was filed on March 8, 2006, and was
dismissed via the mailing of a decision on July 5, 2006 for
failure to file a Notice of Rescission of Nonpublication Request
with the Office. As such, Petitioner failed to rescind the
previous nonpublication request on original petition.

On August 17, 2006, a Notice of Rescission of Nonpublication
Request was filed with the present renewed petition.

The renewed petition under 37 C.F.R. §1.137(f) is **GRANTED**.

Petitioner has submitted the notification of either a foreign or
an international filing, paid the petition fee, and has made the
proper statement of unintentional delay.

The present petition has been found to be in compliance with 37
C.F.R. §1.137(f). Accordingly, the failure to timely notify the
Office of a foreign or international filing within 45 days after
the date of filing of such foreign or international application
as provided by 35 U.S.C. §122(b)(2)(B)(iii) and 37 C.F.R.
§1.213(c) is accepted as having been unintentionally delayed.

The previous Request and Certification under 35 U.S.C.
§122(b)(2)(B)(i), filed with the original application papers,
has been rescinded. A Notice Regarding Rescission of
Nonpublication Request which sets forth the projected
publication date of December 7, 2006 was mailed to Applicant on
August 28, 2006.

Technology Center 2600 will be notified of this decision.

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225. All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.

Paul Shanoski
Senior Attorney
Office of Petitions
United States Patent and Trademark Office